



PATENT APPLICATION  
DOCKET NO.: 10391/003001

16/18  
11/3/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): F. X. Ignatious *et al.*

Application No.: 09/171,740

Group Art Unit: 1615

Filed: April 20, 1999

Examiner: T. D. Ware

Title: SUSTAINED RELEASE IONIC CONJUGATE

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**CERTIFICATE OF MAILING**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

☒ IF CHECKED, TWO COPIES OF THIS CORRESPONDENCE ARE ENCLOSED

Date of Deposit: Oct 25, 2000  
Karen Loudon  
Karen Loudon

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ under 37 CFR 1.97(c) together with either:

☒ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$240.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a Petition under 37 CFR 1.97(d)(2), and

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.  
(Filed after payment of issue fee)

☐ The listed references were cited in a European Search Report in a counter part European application.

Statement Under 37 CFR 1.97(e)

- ☒ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449, with copies of the references noted thereon; or
- ☐ Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [ ], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference(s) Hungarian patent HU 211 586 A9 under 37 CFR 1.98(a)(3) is satisfied by:
- ☒ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☐ The Assistant Commissioner is hereby authorized to please charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Dated: Oct. 25, 2000

By Alan F. Feeney  
Alan F. Feeney, Attorney for Applicant(s)  
Registration No.: 43,609

27 Maple Street  
Milford, Massachusetts 01757  
Telephone: (508) 478-0144  
Facsimile: (508) 473-3531



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**CONCISE EXPLANATION OF THE RELEVANCE OF THE FOLLOWING  
REFERENCES PURSUANT TO 37 C.F.R. §1.98(a)(3)**

Hungarian Patent No. 211 586 A9, published in the Hungarian language, was cited by the Hungarian Patent Office in connection with a Hungarian patent application which corresponds to the above-captioned U.S. Patent application. Applicants submit herewith copies of U.S. Patent No's. 5,480,656, 5,643,607 and 5,814,342 and Foreign Patent Documents EP 442 671 B1, EP 442 671 A2 and EP 442 671 A3 reasonably believed to be English-language equivalents of HU 211 586 A9.

These publications are submitted herewith and noted on PTO Form 1449.

Respectfully submitted,

BIOMEASURE, INC.

Dated: Oct. 25, 2000

By: Alan F. Feeney

Alan F. Feeney

Attorney for Applicant(s)

Registration No.: 43,609

27 Maple Street  
Milford, Massachusetts 01757-3650  
Telephone: (508) 478-0144  
Facsimile: (508) 473-3531